

GREENE TOIGHT ASPHALT SUIT

Million Gained by the Formation of the Trust Involved in the Issue.

HE WILL NOT RESIGN

Ready to Refund His Big Profits if Any Injustice Can Be Proved.

TOUR WITH THE GOVERNOR

President Roosevelt Is Everywhere Commended and Applauded, Says the Police Commissioner.

General Francis V. Greene, former president of the Asphalt Trust, said yesterday that if the courts should find that he had injured any one he was willing "to make reparation to the utmost limit of his ability."

The general had just returned to his desk as Police Commissioner after a five weeks' vacation spent in travel with Governor Odell. His communication was received with much interest by those concerned in the asphalt litigation. Some of these persons smiled and others frowned.

General Greene was on a trip to the Yellowstone and the Pacific coast when affairs of the company grew warm in Philadelphia, where Henry Tamm, as receiver, asked permission of the courts to sue him and his associates who had promoted the Asphalt Company of America, which in turn had been transferred to the National Asphalt Company.

The receiver charges that the profits of the Commissioner individually were more than \$1,000,000 and that he rightfully belongs to the stockholders. The wealth of the promoters was alleged to have been proved by placing excessive value on the subsidiary concerns composing the holding corporation. The stock of these companies was charged to have been sold at inflated prices. The public bought largely of common stock which, in spite of the high financial and social standing of the organizers, soon greatly decreased in value.

By the law of New Jersey, under which the corporation known as the Asphalt Company of America was organized, suits based on declarations that there have been irregularities in the management of the company must be brought within four years after the closing of the transaction from which a profit is alleged to have been derived. The receiver applied for permission to sue the promoters because the four years will have expired before the United States Courts convene in October.

General Greene's Pledge.

Commissioner Greene said that he had not yet received a summons in any suit. His official statement was as follows:

"I am not surprised that the asphalt controversy has been taken into court and do not regret it, for now a judicial decision binding on all concerned will take the place of partisan criticism."

The receiver claims that certain profits were made and that they belong to the common and not to individuals. His claims will be vigorously contested and the case will be carried to the court of last resort. I feel confident that the decision will be in favor of the receiver, but if the courts determine otherwise and finally decide that I have injured any one, I must, of course, abide by the decision and make reparation to the utmost limit of my ability."

When the Asphalt Company of America was formed I was guided by the advice of the best counsel I could obtain. I shall take the same course now and shall not further discuss the matter except in court.

General Greene refused to say whether his financial resources were large enough to meet such a demand if the suit should go against him.

When the general whirled about in his chair and two or three times he waved his thumb fingers may know that he has nothing more to say on a given subject. Arriving at Duane street yesterday afternoon, he was asked for further information about the asphalt litigation. He referred to the receiver as "Jack" and said that he was now seventy-five years old.

"Everywhere," said the general, "I heard praise for President Roosevelt from men of all political parties."

Boy Boat Builder Plans Propeller

W. Webb Davis, 15 Years Old, in the Steam Boat Which He Has Built.



Dismantled Self-Made Automobile to Form an Engine for His Side-wheel Craft.

William Webb Davis, Jr., sixteen years old, of Madison, N. J., who has constructed a small steamboat, is busy with the plans of a new boat which will be a screw propeller.

The boat already constructed is twelve feet long and three feet six inches wide. It is flat bottomed and driven by paddle wheels. The boiler is made from a section of eight inch iron pipe and all the machine work was done by the boy. The engine was part of an automobile which he dismantled some months ago and dismantled again when he built his boat. When the boat was launched he broke a bottle of ginger ale over it instead of champagne.

The boy constructed his first boat from drawings and specifications carefully prepared by the young builder.

WIFE TELLS 'MONK' PULP MILLS FOUL

HE'LL SOON BE FREE

Brown Also Receives Letter from His Sister Urging Him to Cheer Up.

Neither Lawyer Nor Friend Has as Yet Been Admitted to Freehold Jail.

[SPECIAL DESPATCH TO THE HERALD.] FREEHOLD, N. J., Monday.—"Monk Eastman" and Joseph Brown, while taking exercise in an isolated section of the Monmouth County Jail this afternoon, received letters of sympathy and condolence. The "Monk's" letter was from his wife, in New York, who wrote him to cheer up, as he would soon be at liberty. Brown received a letter in a similar strain from his sister.

"Eastman" and Brown, however, have grown more downcast. As their supply of money is running short, they cannot do as they please in luxuries as they did at the start.

None of the counsel engaged for the prisoners has visited the jail. Sheriff Bogardus and Warden Fitzgerald are now convinced that persons who may have been planning mischief have been frightened away.

"We don't apprehend any trouble," said the Sheriff. "The men are perfectly safe in their cells."

Two of the night turnkeys reported that they were sure strange visitors had been walking about the vicinity of the jail during the early hours of morning.

Many of the jail guards are nervous, however. James E. Burdick, janitor of the Court House, has been uneasy for several days lest any suspicious persons find a hiding place in the rear of the building.

MANY SUITS AGAINST LAMAR.

Three Already Filed, Asking Pay for Work at Country Home—Another Promised.

Before Justice P. Hall Packer, in Sea-bright, yesterday, three suits were begun against David Lamar, and the fourth one is on the way. Papers in three of the suits, which are returnable next Monday, were served by Hubbard Lane, a constable of Long Branch.

The parties to the suit yesterday were John Lindsay, a painter; S. Nesbitt, an electrician; and M. L. Beutell, for repairs to machinery. All the work was done at Lamar's country home.

CHILD STRANGELY LOST

Seven-Year-Old Girl Disappears After Accepting Invitation to Board a Coal Barge.

Kate Dilquin, seven years old, of No. 630 East Twentieth street, is missing, and her father, Victor Dilquin, a bartender at No. 328 Second avenue, has asked the police to send out a general alarm for her and for a coal barge on which she was playing before she disappeared.

With her sister Anna, nine years old, and another girl of the same age, Kate went to play on the pier at the foot of East Twentieth street about three o'clock on Sunday afternoon. A man on a coal barge persuaded them to go on board. Anna says the man gave to her and the third girl five cents and told them to go and buy candy. They did so. When they returned the barge about ten minutes later, they could not find Kate and the man told them she had gone home.

STORK BRINGS BABY NO. 22.

Mr. John Budney Father of More Than a Score of Children.

[SPECIAL DESPATCH TO THE HERALD.] FISHKILL LANDING, N. Y., Monday.—The twenty-second baby arrived at the home of John Budney yesterday. Mr. Budney is a fruit grower who resides at West Martine.

He is a Pole by birth, and the present Mrs. Budney is his second wife.

\$500,000 for Police Headquarters

Sinking Fund Commission Approves the Plans and They Now Go to the Board of Estimate for Appropriation.

Plans for the new Police Headquarters building, to be erected in Centre street, between Broome and Grand streets, were approved by the Sinking Fund Commission yesterday. They will now go to the Board of Estimate and Appropriation for final adoption, and an appropriation of \$500,000, the estimated cost of the building, will be considered.

The building, of five stories, is to have a frontage of 38 feet in Centre street, and is to have a clock dome in the centre not unlike that on the City Hall. The height of the building from the street to the dome is to be 115 feet.

The cellar is to contain a complete electrifying plant, and a reserve range, where policemen will be compelled to practice. The basement will contain the offices for the property clerk and the assembly room for the detective bureau. The first floor will contain the information bureau, a suite of offices for the inspector in charge of the detective bureau, the Rogues' Gallery and small examination rooms.

The executive staff of the department is to be located on the third floor, including the Commissioner, deputy commissioner, chief and borough inspectors and the chief clerk. The third floor is to have two trial rooms and the treasurer's, surgeons' and auditors' departments. On the fourth floor there is to be a large armory, drill room and gymnasium, also the shower and tub baths and lockers. Prison cells, matron's quarters and photograph gallery, with the telephones and photograph bureau, are to be located on the fifth floor.

INTER-STATE PARKS' UNION

President of General Association of Iron Workers Here to Assist Strike.

EMPLOYERS SURPRISED

Frank Buchanan, They Had Supposed, Was at Odds with Local Leader.

INDORSES ACTION OF MEN

Explains That Arbitration Agreement Already Exists and Has Not Been Violated by Workers.

Frank Buchanan, president of the International Association of Structural Iron Workers, with which the Housewrights and Bridgebuilders' Union is affiliated, is in New York and has joined Samuel J. Parks in his fight against the Building Trades Employers' Association.

Buchanan was surprised to find that the employers, as Buchanan and Parks have had pronounced differences for a year or more.

In a statement sent by Buchanan to the employers' association yesterday and in an interview given by him last evening Buchanan merely echoed Parks' reasons for continuing the fight.

Buchanan has just returned from a European trip and left New York last night. His home is in Chicago. Parks said yesterday that he was now going to order strikes on the jobs of the Building Trades Employers' Association, which Parks ordered a strike last May on a hotel building at Fifth avenue and Fifty-fifth street. "I don't know anything about that," said Buchanan, "but if there was trouble of this sort, why didn't the employers settle the matter?"

Again it was explained that the employers refused to accept the conditions of the four walking delegates, two of whom were under indictment for extortion, and asked that another committee be sent.

COMPANY DENIES CHARGE

A. C. Payne Declares Refuse from His Concern Contains Nothing but a Trace of Soda and Spent Lime.

Official investigation made by Professor Olin H. Landrette, of Schenectady, consulting engineer of the State Department of Health, last week is said to have definitely established the pollution of the waters of Lake Champlain by the refuse of the chemicals from the pulp mills on the Bouquet and Au Sable rivers.

This investigation was made in answer to formal complaints from the riparian owners on the Au Sable River on May 23, 1903, and by James Eggs on May 11, who presented an affidavit that himself and five members of his family were made seriously ill through drinking the polluted water.

Professor Landrette was accompanied on his tour of investigation by Edward Hatch, Jr., of the firm of Lord & Taylor, of this city, who is called the soda water of the New York and Pennsylvania Company, one of the chief offenders in this direction. The Au Sable River water looks like coffee and has such a fetid odor that it made one of the ladies in the party flee. A dog was seen to vomit and the water was so strong and so offensive that it was found on the banks.

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FRIEND IN PRESIDENT

Public Official so Informs International Typographical Union at Opening of Convention.

WASHINGTON, Monday.—When the forty-ninth session of the International Typographical Union began at the Columbia Theatre this morning most of the 215 delegates were present. Secretary Cortelyou, of the Department of Commerce and Labor, and Mr. Palmer, the Public Printer, and other prominent men sat on the platform. Proceedings were opened with prayer by the Rev. George E. Maydwell, Episcopal minister of Washington, and Comm. Macfarland delivered an address of welcome, while Willis Moore, Chief of the Western Union, spoke in congratulatory words of the union.

A. C. Payne, president of the New York and Pennsylvania Company, said yesterday: "We can assert positively that we do not pollute the waters of Lake Champlain. We do not use anything in our mill which has been on the Bouquet River for at least twenty years, that would do so. The refuse of our mill contains nothing but a trace of soda and spent lime."

"We run this refuse into a little river near by to keep it out of the lake, and we do not use anything in our mill which has been on the Bouquet River for at least twenty years, that would do so. The refuse of our mill contains nothing but a trace of soda and spent lime."

DEVERLY GAINS SUPPORT

Brooklyn Delegation Promises Conditionally to Indorse Him for Mayor.

William S. Deverly's followers in the Ninth Assembly district entertained a delegation of voters from the Eastern District, Brooklyn, at the Big Club, in West Twenty-eighth street, last night. These men came over to assure Deverly of their support in his fight against Charles F. Murphy, and promised that if he would allow them in placing an independent democratic ticket in the field in Brooklyn they would indorse him. Deverly, who is a fruit grower who resides at West Martine, said that he would accept the offer.

Mr. Deverly told them to get to work at once and gather signatures to his petition for an independent nomination, and furnished them with the necessary blanks.

At the Hotels.

- Waldorf-Astoria—Charles S. Francis, United States Minister to Greece; J. G. Millard, Boston; Holland—E. N. Ward, Boston; Otis Hotel, Paris, France.
- Imperial—George P. Eckert, Philadelphia; H. G. Baker, Philadelphia; George V. Moran, New York.
- Grand—J. B. Brent, Wilmington, Del.; H. C. Abbott, Hingham.
- Manhattan—G. W. Bristol, Portland, Ore.; W. Wood, Colorado Springs; J. M. Davis, Savannah, Ga.; J. M. Davis, Savannah, Ga.
- Netherland—Selwyn M. Taylor, Pittsburgh, and A. E. Rogers, Pittsburgh.
- Park Hotel—Emden, Holland, and Frank Hirsch, Syracuse.
- Glacier—F. H. Norton, Worcester, and Independence, N. Y.
- Victoria—C. F. Terry, Kentucky.
- Hoffman—W. R. Duke, Baltimore, and J. A. Hanna, Cleveland.
- Herald Square—E. R. Robinson, Atlanta, and M. Glavin, New York.
- Georgetown—J. B. Sloan, St. Paul, and J. S. Brooks, Pittsburgh.
- Northampton—James Warren, Jacksonville, and David Moore, Washington.
- Navy—H. R. Rose, Pittsburgh.
- Norfolk—G. E. Clapp, Washington, and J. M. Davis, Colorado Springs.
- Kentington—A. G. McKenzie, London.
- Westminster—Frederick Stearns, Detroit.
- Astor—J. M. Hill, Washington, and W. H. Jones, Hopkinsville, Kentucky.

Faithful Dog, Ridiculed, Dies

Brian Boru Drowned in Surf from Which He Had Often Rescued Children and Friends Hint at Suicide.

Brian Boru, a large Newfoundland dog, long a familiar figure on the beach at Long Branch, N. J., was found dead yesterday morning on the edge of the water, where he has swam every day of the summer. It is believed he was drowned.

Persons familiar with the dog hint at a tragedy. Until a month ago the dog would stand in the water while his friends bathed, ready, if need be, to hurry to their rescue, and several times he saved lives.

While a heavy surf was rolling early last month he dashed into the water to help a little child. The water threw the dog against a bulkhead and inflicted a deep wound on the top of his head. Soon afterward he began to lose his hair, and for several weeks has been bald. This caused amusement to the unsympathetic, who often laughed when the dog's hairless head came in sight.

From that time Brian Boru would not go near groups of former friends on the beach.

Notorious Thief Caught in Hotel

Wealthy Patron of the Herald Square Captures "Red Hyle" After Struggle.

IS DISCOVERED AT HIS WORK

His identity remained unknown to the police until yesterday. He described himself at the station as John Horner, forty-five years old, of Hartford, Conn., and was registered as such at the hotel.

When "Horner" was arrested in the Jefferson Market Police Court yesterday detectives Kane, Clarke and Peabody recognized him as "Red Hyle," a notorious thief, taken to headquarters, photographed, and awaits trial here or extradition to one of the seventeen States where indictments have been found against him.

John Hylebert, known as "Red Hyle," is fifty years old, and has been in prison for a long time. He was arrested in the law by escaping from custody, forfeiting his bail and in other ways. His industry has been confined almost entirely to robbing hotel patrons. His usual method is to enter a room at night, open the door, and steal the keys or other valuables. He has served several terms in prison.

TROLLEY STRIKE ENDS

Queens County Lines Run as Usual and Men Go Back to Work.

"We never had any labor trouble in Long Island City that lasted more than forty-eight hours," said Mr. W. E. Stewart, the counsel for the New York and Queens county trolley company, yesterday morning, "and this so-called strike will fix its end before night."

This prophecy was fulfilled. By two o'clock yesterday afternoon all the cars were running as usual to Flushing, North Beach, Jamaica, Far Rockaway and other points and the ninety-five extras and other material and conductors were squeezing past one another at the offices of the company trying to get their names on the list for relief.

From five o'clock until half-past twelve John Siegel, Patrick Phelan and William Scully, the three men whose charges led to the attempt to tie up the road Sunday evening, waited outside of the office of the general manager, Mr. J. J. Sullivan, admitted them he told them they had been regularly discharged and that he could not take them back.

"It's no use, boys, we can't get back," they said to their fellow employees.

Subsequently Charles J. McManis, the chairman of the trolley men's Conference Committee, had an interview with Mr. Sullivan. He reported to the group of waiting motormen.

"It's over. The strike is off."

The only arrest made during the day was when a man was charged with carrying a gun. He was taken to the station and this city was quiet in the morning.

SPRINGFIELD, Mass.—Boston and Albany officials look on with interest at the trolley strike by stopping all work upon the new engine house at West Springfield. They declare they will make the engine house to Worcester.

NEW BEDFORD, Mass.—The cloth and weaving mills of the Wamsutta corporation will shut down for 144 weeks, but the yarn mills will run as usual.

The Bristol cotton mills also have been shut down.

Notes of the Labor World.

RICHTON, Va.—Men charged with conspiring to strike rubber plantations at a strike in this city were acquitted in the Hustings Court.

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Women Who Need Slippers

Will Save on Them To-Day.

Save a half to a quarter on every pair. Certainly there is economy in buying at such a time—if you're sure of the merit.

There's not an unworthy pair in the entire lot. Enough said.

Some are \$1.63. Some are \$1.90. Assortment of styles is so big we could hardly go into details and do the subject justice.

With them—Oxfords at \$1.93. Many pairs have brought five dollars.

IN THE SHOE STORE—SECOND FLOOR.

Clearing Away the Summer Wash Goods This Day.

One woman bought her entire supply for next season yesterday. "Why shouldn't I?" said she. "Take those tiny dots and stripes, for instance. What possible chance is there for the styles to change?"

She was right—they won't change. Yet the whims of merchandising demand newness with each season, so far as stock is concerned.

The 12½c. Dress Lawns are 6½c.; the 12½c. Batistes, Swisses and Ginghams are 9c.; the 25c. Silk Mulls and Embroidered Swisses are 18c.; the 39c. French Organdies are 25c.—and so on.

Most of the White Goods, too, are half price or thereabouts.

FIRST FLOOR AND TABLES.

Men's Sox Are a Good Deal Underpriced To-Day.

When you see "Stars" at 85 cents, you know there's something special doing.

When you see "Stars" at 85 cents, you know there's something special doing. When 11,000 negligees of that famous make are put on sale at 85 cents, and 10,000 of them are regular \$1.50, \$2 and \$2.50 shirts, there's lots doing. Attached and detached cuffs, plenty of every size—especially big sizes.

85 cents.

ROGERS, PEET & COMPANY, 235 Broadway, opposite City Hall, and 7 and 9 Warren at 842 Broadway, cor. Eldon.

Formerly \$3.85 to \$4.80, at \$2.75. Formerly \$3.50 to \$3.80, at \$4.25. BASEMENT.

JUDGE BISCHOFF SUED FOR \$75,000

Story of a Wife's Devotion Revealed by Action of Jurist's Brother.

\$1,000,000 ESTATE IS INVOLVED

Behind a suit for \$75,000 brought by Franklin Bischoff, of Pelham, Westchester county, against his brother, Judge Henry Bischoff, of the Supreme Court, is the story of a wife's devotion. It was Mrs. Franklin J. Bischoff's loyalty to her husband that brought about his release from Bloomingdale asylum after five years of restraint.

On the ground that the commitment was obtained by his brother, Judge Bischoff, who thereupon assumed control of his person and estate, Franklin J. Bischoff brought the present suit. Judge Cochran in Brooklyn said yesterday he would decide later a motion to transfer the case from Westchester county to New York county.

The father of the Bischoff brothers left an estate appraised at one million dollars. Only a small part of this was left to Franklin, and in March, 1898, soon after the father's death, he was declared insane. As an insane person, Franklin was debarred from contesting his father's will, and his brother assumed full charge of his affairs.

Mrs. Bischoff was devoted to her husband, and after five years' hot incessant work was rewarded last March, when the order of the Appellate Division of the Supreme Court, Franklin J. Bischoff was released from Bloomingdale. He is practicing his profession at No. 30 West Forty-fourth street.

DRY GOODS, & C.

Simpson Crawford Co.

SIXTH AVE 19th to 20th STREETS

This August Furniture Sale

Has Nothing in Common with Similar Events.

It is Distinctive, and as Such Interesting and Profitable.

If our method of selling followed the usual course, the present movement would have long since passed into desuetude. Instead, we are busier than the opening day of the sale.

The ordinary sale possesses the virtue of offering things cheap that are cheap—too cheap, in fact, if you're looking for service.

We buy only the best, it being cheapest in the end. Most of the Furniture we gather for August selling is in exact duplicate of what we sell regularly—and our regular stock has no peer in the world.

We know our method, and we suggest yours—comparison.

In no other way will you get at the root of this Furniture business. Your own judgment will tell you where to spend your money and derive the most from it.

FIFTH FLOOR.

Black Habutai Silks

Are Very Low Priced To-day.

48c. and 58c. yard—which does not speak their worth by any means.

Yesterday's buyers were many and enthusiastic. We sold a good many of the twelve thousand yards. There's plenty for to-day, however.

They are 27 inches wide, of splendid qualities, and are "perspiration and water proof."

IN THE SILK STORE—ROTUNDA.

Ninety-seven Lace and Linen Robes To Be Sold To-Day

at exactly half price. They are samples, which is the only reason you reap a saving.

Some are of linen, trimmed with cluny lace bands; some are white and ecru Lierre laces, and others are of white or black net. They are very natty and dressy, and make superb costumes for afternoon or evening.

\$9.50, \$14.50, \$24.50. And they were double.

IN THE LACE STORE—CENTRE AISLE.

Women Who Need Slippers

Will Save on Them To-Day.

Save a half to a quarter on every pair. Certainly there is economy in buying at such a time—if you're sure of the merit.

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